

Planning

Eastleigh Borough Council
Eastleigh House
Upper Market Street
Eastleigh
SO50 9YN

6th December 2024

Dear Sir/Madam,

Cockpit Farm Barn, Knowle Lane, Horton Heath

Please find enclosed a prior approval application for the change of use of the existing agricultural building sought under Class R of the Town and Country Planning (General Permitted Development) Order 2015 (GPDO) as amended at the above site. The proposal seeks the change of use from agriculture to a flexible commercial use, specifically a Class B8 Storage use. This letter supports this submission and demonstrates compliance with the conditions and limitations of the Order.

In addition to this letter, the submission is also accompanied by the following supporting documentation:

- Application Form
- Flood Map for Planning Report
- Technical Note (Highways)
- Desk Study Report (Contamination)
- Site Location Plan

Introduction

Class R of the GPDO permits the change of use of a building (including land within its curtilage) from an agricultural use to a flexible commercial use falling within either Class B2 (General Industrial), B8 (Storage or Distribution), Class C1 (Hotels), Class E (Commercial, Business or Service), or Class F.2(c) (Outdoor sport or recreation) of the Schedule to the Use Classes Order.

Development is not permitted by Class R if:

- a) *the building was not used solely for an agricultural use as part of an established agricultural unit—*
 - i. *on 3rd July 2012;*
 - ii. *in the case of a building which was in use before that date but was not in use on that date, when it was last in use, or*
 - iii. *in the case of a building which was brought into use after 3rd July 2012, for a period of at least 10 years before the date development under Class R begins;*
- b) *the cumulative floor space of buildings which have changed use under Class R within an established agricultural unit exceeds 1,000 square metres;*
- c) *the site is, or forms part of, a military explosives storage area;*



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- d) *the site is, or forms part of, a safety hazard area; or*
- e) *the building is a listed building or a scheduled monument.*

Subject to the above, Class R applies certain conditions that must be satisfied by the developer before changing use. Where the cumulative floor space of the building or buildings which have changed use under Class R within an established agricultural unit exceed 150 square metres, the developer must apply to the Local Planning Authority for a determination as to whether the prior approval of the authority will be required as to:

- i. Transport and highways impacts of the development;
- ii. Noise impacts of the development;
- iii. Contamination risks on the site; and
- iv. Flood risks on the site

In relation to such an application the provisions of paragraph W (Prior Approval) apply.

The Proposal

The proposal consists of the change of use from an agricultural use to a flexible use falling with Class R of the GPDO, and specifically to a Class B8 storage use. This application will sit alongside the prior notifications under the references PD/23/95961 and PN/23/96355. The total aggregate floor floorspace area that will change use under Class R will be 1,000 square metres. This does not exceed the total permissible threshold of 1,000 square metres in compliance with R.1(b). The current proposal represents an alternative to the previous prior approval under the reference PN/22/92315 which remains extant. The remainder of the barn will be retained in agricultural use.

The building was in use for agricultural purposes on the 3rd July 2012 and there have been no lawful intervening uses since that time, in compliance with Condition R.1(a) Part (i). The applicant is the sole owner of the property and none of the associated land is tenanted.

The site is not and does not form part of a military explosives storage area or safety hazard area. The buildings are not listed, nor are they part of a scheduled monument. The proposal is therefore compliant with R.1(c), (d) and (e).

The building complies with all statutory requirements in accordance with R.1(a) to (e) and thus qualifies for execution of Class R subject to the relevant conditions, which are considered in detail in the subsequent section.

Class R Conditions

Paragraph R.3(1)(b) requires the developer to apply to the Local Planning Authority for a determination as to whether the prior approval of the authority will be required as to:



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1. Transport and highways impacts of the development;

The application is accompanied by a Highways Technical Note which considers the transport and highways impacts of the development. In this instance, the existing access which has historically served an agricultural use without any undue issues, is considered to be acceptable to accommodate the limited number of traffic movements that a development of 500sqm of storage use would generate. The access meets the requisite requirements with regards to visibility and the minimal amount of additional traffic likely to be generated would not cause or increase danger to road users or have a significant detrimental impact on the operation or safety of the highway network. Nor would the cumulative impacts on the road network be severe (NPPF Paragraph 111). Given the above, it is considered that such a minor development would be acceptable from a highway safety point of view.

There are no parking standards adopted in EBC, however parking is provided at 1 space per 90sq.m in accordance with the prevailing local requirements in Hampshire as derived from the former HCC parking standards.

2. Noise impacts of the development

The submission seeks to change of use of the building to a Class B8 (Storage) use. The proposed use will not result in noise impacts that would be any greater than the existing agricultural use. The proposal can therefore be accommodated without having any unacceptable impact on the occupants of neighbouring properties.

3. Contamination risks on the site

The submission is accompanied by a Desk Study Report and preliminary investigation prepared by Lake Environmental which considers the contamination risks on the site. The report highlights potential contamination associated with the historic use of the site for poultry farming and recommends further intrusive investigation. The information proposed is considered sufficient to grant prior approval subject to conditions relating to further investigation, remediation and verification where necessary.

4. Flood risk on the site

The site lies entirely within flood zone 1 as identified on the Government's flood map for planning. The site is therefore at the lowest risk of flooding and so flood risk is not an issue on this site, this is reconfirmed by the Groundsure report.

Conclusion

The Government is committed to supporting the diversification of the rural economy through the reuse of agricultural buildings for flexible commercial purposes, as defined by Class R. The change of use to the flexible commercial use proposed will support the rural economy in this location.

This application will sit alongside the prior notifications under the references PD/23/95961 and PN/23/96355, with the total aggregate floor floorspace area that will change use under Class R being 1,000 square metres.

The current proposal represents an alternative to the previous prior approval under the reference PN/22/92315 which remains extant. The remainder of the barn will be retained in agricultural use.

The building complies with all statutory requirements in accordance with R.1(a) to (e) and thus qualifies for execution of Class R.

The conditions set out by paragraph R.3(1)(a) have been fully satisfied by this letter and associated enclosures.

I trust the information provided above is clear. However, should you require any further clarification then please do not hesitate to contact me.

Yours faithfully,



Jacob Goodenough
Director



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